



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
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**Report No. TEL-00557NS**

**Friday August 2, 2002**

## **NON STREAMLINED INTERNATIONAL APPLICATIONS ACCEPTED FOR FILING**

### **Section 214 Applications (47 C.F.R. § 63.18); Cable Landing License Applications (47 C.F.R. § 1.767); Authorize Switched Services over Private Lines (47 C.F.R. § 63.16) and Section 310(b)(4)**

Unless otherwise specified, the following procedures apply to the applications listed below:

The applications listed below have been found, upon initial review, to be acceptable for filing. These applications are not subject to the streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12. These applications shall not be deemed granted until the Commission affirmatively acts upon the application, either by public notice or by written order. Operation for which authorization is sought may not commence except in accordance with any terms or conditions imposed by the Commission.

Unless otherwise specified, interested parties may file comments with respect to these applications within 28 days of the date of this public notice. We request that such comments refer to the application file number shown below. Ex parte communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 C.F.R. § 1.1206.

Copies of all applications listed here are available for public inspection in the FCC Office of Public Affairs Reference and Information Center, located in room CY-A257 at the Portals 2 building, 445 12th Street SW, Washington DC 20554. The center can be contacted at (202) 418-0270. All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

Petition for Declaratory Ruling

**Other Companies:**

PageMart PCS, Inc., Debtor-In-Possession

WebLink Wireless, Inc., PageMart II, Inc., and PageMart PCS, Inc. request that the Commission find permissible indirect foreign ownership of PageMart II and PageMart PCS in excess of the 25 percent benchmark of Section 310(b)(4) of the Communications Act of 1934, as amended. This request is filed in connection with two applications, FCC File Nos. 0000966726 (PageMart PCS) and 0000966620 (PageMart II). Commission action is requested to permit implementation of a plan of reorganization which would allow the companies to emerge from bankruptcy.

Applicants state that PageMart II and PageMart PCS (collectively, "the U.S. licensees") are U.S. corporations that are wholly owned by WebLink Wireless, also a U.S. corporation. Applicants further assert that, post bankruptcy, the following foreign entities and individuals will hold 10 percent or more of the equity interest in WebLink: BT Investment Partners, Inc. ("BT Investment"), an indirect wholly-owned subsidiary of Deutsche Bank AG, which is a publicly traded German corporation, and its affiliates (collectively, "Deutsche Bank"). Through BT Investment, Deutsche Bank will hold an indirect foreign ownership interest of 24.858 percent in the U.S. licensees. In addition, N. Ross Buckenham, a citizen of New Zealand, will hold an indirect foreign ownership interest of 5 percent in the U.S. licensees.

According to the Applicants, the total indirect foreign ownership interest in the U.S. licensees would be 29.858 percent. Applicants assert that, pursuant to the rules and policies established in the Commission's Foreign Participation Order, 12 FCC Rcd 23891 (1997), Order on Reconsideration, 15 FCC Rcd 18158 (2000), the "home markets" of the named foreign investors are Germany and New Zealand, which are WTO Members. Interested Parties may file comments by August 16, 2002 and reply comments by August 23, 2002. For further information contact Susan O'Connell at (202) 418-1460.

**REMINDER:**

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See 47 C.F.R. §§ 1.2001–.2003.

The Commission most recently amended its rules applicable to international telecommunications common carriers in IB Docket No. 98-118, Review of International Common Carrier Regulations, FCC 99-51, released March 23, 1999, 64 Fed. Reg. 19,057 (Apr. 19, 1999). An updated version of Section 63.09-.24 of the rules, and other related sections, is available at <http://www.fcc.gov/ib/td/pf/telecomrules.html>.